



3622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: T. Yamashita Attorney Docket No.: MRSH117698
Application No.: 09/889,276 Group Art Unit: 3622
Filed: November 6, 2001 Examiner: S.M. Gravini
Title: SCHEDULE TRANSMISSION METHOD, DEVICE, AND SYSTEM

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

March 15, 2004

TO THE COMMISSIONER FOR PATENTS:

Applicant is aware of the information listed in the attached form that may be material to the prosecution of the above-identified patent application.

1. X Copies of the listed references are enclosed for the Examiner's use.
2. X Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.
3. X A concise explanation of the relevance of documents Cites No. 03-07 (which are not in the English language), as presently understood by the individual designated under 37 C.F.R. § 1.56(c) most knowledgeable about their content, is provided in the enclosed copy of the English translation of the Office Action in related Taiwanese Patent Application No. 90111277.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on the below date.

Date:

March 15, 2004

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Cherie D. Galvin



INFORMATION CITED BY APPLICANT THAT MAY BE MATERIAL TO THE
PROSECUTION OF THE SUBJECT APPLICATION

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U.S. PATENT DOCUMENTS

None

FOREIGN PATENT DOCUMENTS

None

OTHER INFORMATION

(Including Author, Title, Date, Pertinent Pages, Etc.)

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*Examiner Cite
Initial No.

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| _____ | O3 | Dr. ezanla, <i>MSN Hotmail</i> , August 4, 2003, http://by7fd.bay7.hotmail.msn.com/cgi-bin/etmsg?wcid=twezanla&curmbox=F000000001&a=5ad64855d |
| _____ | O4 | Dr. ezanla, <i>MSN Hotmail</i> , July 21, 2003, http://by7fd.bay7.hotmail.msn.com/cgi-bin/getmsg?wcid=twezanla&curmbox=F000000001&a=92c9f4bfff5 |
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Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SIL:ctg

MRSH117698164.DOC

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<Examiner's decision>

Issue Date: December 11, 2003

Application No.: 090111277

Main Sentence: The invention of the present application patent can not be patented under the provision of Patent Law 20 (2).

Reason:

- (1) The "schedule communication method, apparatus and system" of the present application are structured by a schedule communication apparatus in a client side and a communication apparatus in a server side, wherein advertisements requested by a user is transmitted to the user.
- (2) According to the technical feature of the present invention, advertisements which are not requested or preferred by the user are not transmitted to the user and thus the increase of advertisement fee can be avoided. Also, it becomes possible to avoid disgusting the user by sending unwanted advertisements. This feature of the present invention had been, however, adopted widely before this application is made in network stations providing e-mail services via the internet, such as, MSN Hotmail (<http://www.hotmail.com>) or PCHome Mail (<http://mail.pchome.co.tw>). In these network station, when a user request an e-mail service, the network station instruct the user to submit basic information and taste of the user and advertisement messages are sent to the user based on such information. For example, when the examiner of the present application requested an e-mail service in Hotmail in 1986, examiner's personal information is submitted thereto at the same time and e-mail information is sent to the examiner based on the examiner's taste. Accordingly, it can be said that tens of millions of people in the world had been utilizing such service before this application was made (the priority date thereof is Dec 12, 1999). Thus the present invention can be easily made by those who skilled in the computer software art based on these conventional technology.
- (3) As described above, the present invention can be easily made by those who skilled in the art based on the technologies known to public before the time of the application. Therefore this invention can not be patented.

As described above, the present invention of this application can not be patented. Therefore, according to the provision of Patent Law 20(2), the examiner has decided as shown in the Main Sentence.

經濟部智慧財產局專利核駁審定書

受文者：B至C介面股份有限公司（代理人：洪

武雄 先生、陳昭誠 先生）

地址：臺北市中正區博愛路八十號六樓

發文日期：中華民國九十二年十二月十一日

發文字號：（九二）智專二（二）04080字

第〇九二二一二五七七一〇號

一、申請案號數：〇九〇一一一二七七

二、發明名稱：計畫通信方法、裝置及系統

三、申請人：

名稱：B至C介面股份有限公司

地址：日本

四、專利代理人：

姓名：洪武雄 先生

地址：臺北市中正區博愛路八十號六樓

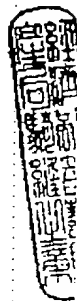
姓名：陳昭誠 先生

地址：臺北市中正區博愛路八十號六樓

五、申請日期：九十年五月十一日

專利分類IPC(7)：... G06F 17/60





六、優先權項目：

七、審查人員姓名：林尤群 委員

八、審定內容：

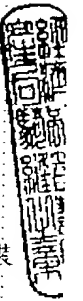
主文：本案應不予專利。

依據：專利法第二十條第二項。

理由：

(一) 本案「計畫通信方法、裝置及系統」係由一客戶端計畫通信裝置、一伺服器端計畫通信裝置所構成，主要用於可發送針對使用者之嗜好而製作之廣告。

(二) 本案所揭露之技術特徵主要係針對使用者之需求（嗜好）而發送適當之廣告訊息，避免寄送使用者不喜歡或不必要之廣告，以免增加廣告之成本及招致使用者之厭煩。經查本案所揭露之技術特徵，在本案之申請日前已廣為網際網路上提供電子郵件服務之網站所採用，如國外之MSN Hotmail (<http://www.hotmail.com>，如附件1)、Yahoo Mail (<http://mail.yahoo.com>)、國區之PCHome Mail (<http://mail.pchome.co.tw>)等等，當使用者申請該類網站之電子郵件服務時，該類網站即會要求使用者輸入個人之基本資料、各種喜好等等（附件二、三），以做為寄發廣告信件之依據。本案之審查人員在一九八六年申請Hotmail電子郵件服務時即已填過此類資料，Hotmail網站即會根手使用者之喜好，而寄發各式各樣之廣告信件給使用者（附件四、五）。在本案申請日之前（



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優先權日：一九九九年十一月十二日），全世界已有數千萬人使用過該類服務，本案僅為現有技術之簡易應用，任何熟悉電腦軟體之人員皆可輕易完成。

（三）綜上所述，本案係運用申請前既有技術，而為熟習該項技術者所能輕易完成者，難謂符合發明專利要件。

據上論結，本案不符法定專利要件，爰依專利法第二十條第二項，審定如主文。

局長
蔡練生

依照分層負責規定授權單位主管決行

如不服本審定，得於文到之次日起三十日內，備具再審查理由書一式二份及規費新台幣陸仟元整（專利說明書及圖式合計在五十頁以上者，每五十頁加收新台幣五百元，其不足五十頁者以五十頁計），向本局申請再審查。